

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

PODS INC.,

Plaintiff(s),

CASE NO. 3:06CV162

vs.

PAYSOURCE, INC.,

JUDGE WALTER HERBERT RICE

Defendant(s).

ORDER OF DISMISSAL: TERMINATION ENTRY

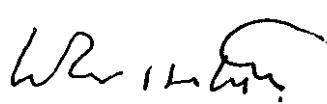
The Court having been advised by counsel for the parties that the above matter has been settled, **IT IS ORDERED** that this action is hereby **DISMISSED**, with prejudice as to the parties, provided that any of the parties may, upon good cause shown **within 60 days**, reopen the action if settlement is not consummated.

Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of America*, 114 S.Ct. 1673 (1994), and incorporate appropriate language in any substituted judgment entry.

The Court will retain jurisdiction to enforce the terms of the settlement between the parties, if necessary.

IT IS SO ORDERED.

October 22, 2007



WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT

Copies to:

All Counsel of Record